

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA (Erie)**

Thomas L. Reed, Sr.,) No.: 1:08-cv-00154-SPB
)
Plaintiff,) Assigned to: Susan Paradise Baxter
) Cause: 42:1983pr Prisoner Civil Rights
v.)
)
Millcreek Police)
All Officer Involved)
Witness,)
)
Defendant.) ELECTRONICALLY FILED

MOTION FOR SUMMARY JUDGMENT

AND NOW, come the Defendants, Millcreek Police and Shawn Wills, Benjamin Bastow, Mays, and Lucas by and through their counsel, Law Office of Joseph S. Weimer and Edmond R. Joyal, Jr., Esquire, and move for summary judgment on the following grounds.

1. Plaintiff has failed to state a claim against the Millcreek Police Department upon which relief can be granted.
2. Plaintiff has failed to state a claim against the defendants Shawn Wills, Benjamin Bastow, Mays, and Lucas upon which relief can be granted.

WHEREFORE, Defendants request that judgment be entered in their favor.

Respectfully submitted,

LAW OFFICE OF JOSEPH S. WEIMER

By: s/Edmond R. Joyal
Edmond R. Joyal, Jr., Esquire
Attorney for Defendant,
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CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of March, 2010, I electronically filed the foregoing MOTION FOR SUMMARY JUDGMENT using the CM/ECF system which will send notification of such filing to:

N/A

And, I hereby certify that I have mailed by United States Postal Service the documents to the following non CM/ECF participant(s) on March 19, 2010:

**Thomas L. Reed, Sr.
Erie County Prison
1618 Ash Street
Erie, PA 16503**

LAW OFFICE OF JOSEPH S. WEIMER

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